

House File 604

H-1152

1 Amend House File 604 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 2C.9, Code 2023, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 2A. Investigate, on complaint, any
7 complaint received by an individual who holds a license,
8 certificate, authorization, or statement of recognition issued
9 by the board of educational examiners related to violence in
10 the classroom or violence on school property, including any
11 disclosure of information to which section 280.34 applies
12 related to violence in the classroom or violence on school
13 property. The ombudsman shall provide the results of the
14 investigation to the department of education and the board of
15 educational examiners. The ombudsman shall maintain secrecy in
16 respect to the identities of the complainants.

17 Sec. 2. Section 256.9, Code 2023, is amended by adding the
18 following new subsection:

19 NEW SUBSECTION. 66. Develop and distribute to school
20 districts a list of all professional development programs and
21 other training programs in which employees of school districts
22 are required to participate pursuant to federal law or state
23 law, including chapter 284. For purposes of this subsection,
24 "*professional development program*" means the same as defined in
25 section 272.1.

26 Sec. 3. Section 256E.7, subsection 2, Code 2023, is amended
27 by adding the following new paragraphs:

28 NEW PARAGRAPH. *0j.* Be subject to and comply with the
29 requirements of section 279.78 relating to notifications to
30 the parents or guardians of a student in the event a classroom
31 teacher witnesses the student suffer a bodily injury in the
32 same manner as a school district.

33 NEW PARAGRAPH. *00j.* Be subject to and comply with the
34 requirements of section 279.79 relating to prohibiting
35 retaliation against employees or contractors for disclosing

1 certain specified information in the same manner as a school
2 district.

3 NEW PARAGRAPH. *000j.* Be subject to and comply with the
4 requirements of section 279.80 relating to the removal of
5 disruptive students from the classroom in the same manner as
6 a school district.

7 Sec. 4. Section 279.51A, subsection 4, Code 2023, is amended
8 to read as follows:

9 4. A classroom teacher employed by a school district shall
10 report any incident of violence that results in injury or
11 property damage or assault by a student enrolled in the school
12 to the principal of the school within twenty-four hours after
13 the incident of violence occurs. The principal of the school
14 shall notify the parent or guardian of a student enrolled in
15 the school who was injured or assaulted in an incident of
16 violence within twenty-four hours after the classroom teacher
17 reports the incident of violence to the principal.

18 Sec. 5. NEW SECTION. **279.77 Professional development —**
19 **notification.**

20 If a school district requires an employee to participate
21 in a particular professional development program, including
22 a program that is included on the list developed by the
23 department of education pursuant to section 256.9, subsection
24 66, the school district shall provide notice to the employee
25 indicating the section of the Code, or rules adopted by the
26 state board of education or the board of educational examiners,
27 the school district determines requires the employee to
28 participate in the professional development program. For
29 purposes of this section, "*professional development program*"
30 means the same as defined in section 272.1.

31 Sec. 6. NEW SECTION. **279.78 Notice to parents or guardians**
32 **related to student injuries.**

33 A teacher employed by a school district may notify the parent
34 or guardian of a student enrolled in the school district by
35 telephonic means if the teacher witnesses the student suffer a

1 bodily injury.

2 Sec. 7. NEW SECTION. 279.79 Retaliation prohibition.

3 The board of directors of a school district shall not take
4 any disciplinary action against an employee or contractor of
5 the school district for disclosing information to any public
6 official or law enforcement agency, including a disclosure
7 to the ombudsman pursuant to section 2C.9, subsection 2A, if
8 the employee or contractor reasonably believes the information
9 evidences a violation of law or rule, mismanagement, a gross
10 abuse of funds, an abuse of authority, or a substantial and
11 specific danger to public health or safety. For purposes of
12 this section, "*disciplinary action*" includes termination of
13 employment or the contractual relationship, suspension from
14 employment, demotion, financial penalties, failing to take
15 action regarding an employee's or contractor's promotion
16 or proposed promotion, failing to provide an advantage in
17 employment or the contractual relationship, and written or
18 verbal reprimands.

19 Sec. 8. NEW SECTION. 279.80 Removal of disruptive students
20 from the classroom.

21 1. As used in this section:

22 a. "*Administrator*" means the same as defined in section
23 272.1.

24 b. "*School resource officer*" means the same as defined in
25 34 U.S.C. §10389.

26 c. "*Teacher*" means the same as defined in section 272.1.

27 d. "*Therapeutic classroom*" means the same as defined in
28 section 256.25, subsection 7.

29 2. The board of directors of each public school district
30 shall adopt a policy, consistent with section 279.51A, that
31 describes when a teacher may remove a disruptive student from
32 the classroom. The policy shall require the school district
33 to consider placing a disruptive student in an alternative
34 learning environment. The policy shall provide for escalating
35 levels of discipline each time a disruptive student is removed

1 from the classroom. The policy shall include all of the
2 following:

3 *a.* A teacher employed by a school district may remove a
4 disruptive student from the classroom under the supervision of
5 a school resource officer or an administrator located in the
6 attendance center.

7 *b.* (1) The first time a teacher removes a disruptive
8 student from the classroom pursuant to paragraph "a" in a
9 semester, or the trimester or quarter equivalent, the school
10 district shall do all of the following:

11 (a) Facilitate a counseling session between the student
12 and a school counselor licensed by the board of educational
13 examiners under chapter 256.

14 (b) Place the student in one day of in-school suspension
15 after the counseling session described in subparagraph division
16 (a) takes place.

17 (2) The second time a teacher removes a disruptive student
18 from the classroom pursuant to paragraph "a" in a semester, or
19 the trimester or quarter equivalent, the school district shall
20 do all of the following:

21 (a) Facilitate a counseling session between the student
22 and a school counselor licensed by the board of educational
23 examiners under chapter 256.

24 (b) Place the student in five consecutive school days of
25 in-school suspension after the counseling session described in
26 subparagraph division (a) takes place.

27 (3) The third time a teacher removes a disruptive student
28 from the classroom pursuant to paragraph "a" in a school year,
29 the school district may permanently remove the student from the
30 teacher's class, and the school district shall consider placing
31 the student in an alternative learning environment, including a
32 therapeutic classroom.

33 Sec. 9. Section 280.21, Code 2023, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 5. A public school district, accredited

1 nonpublic school, or area education agency shall provide to all
2 teachers employed by the public school district, accredited
3 nonpublic school, or area education agency a copy of this
4 section with the initial employment contract and with each
5 notice of renewal of the employment contract.>

6 2. Title page, lines 7 and 8, by striking <districts,
7 accredited nonpublic schools,> and inserting <districts>

WHEELER of Sioux